

Village of Sauget

Paul Sauget  
Mayor

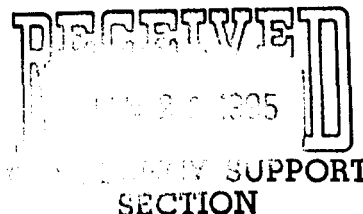
2897 Falling Springs Road  
Sauget, Illinois 62206

(618) 337-5267

January 20, 1995

**BY MESSENGER DELIVERY**

Ms. Carol Graszer Ropski  
Emergency Support Section  
U.S. Environmental Protection Agency (HSE-5j)  
77 West Jackson Boulevard  
Chicago, Illinois 60604



Re: General Notice of Potential Liability and  
Request for Information  
Sauget Area 2, Site Q (formerly known as the Sauget &  
Company Landfill), Sauget, Illinois

Dear Ms. Ropski:

On behalf of the Village of Sauget, I am submitting the enclosed Response, and relevant documents, to the above-referenced General Notice of Potential Liability and Request for Information, dated December 16, 1994, regarding the property denoted as Sauget Area 2, Site Q. The United States Environmental Protection Agency, Region 5 ("U.S. EPA") granted the Village of Sauget an extension of time to respond to the Information Requests until January 20, 1994 (see January 5, 1995 letter to Deirdre Flannery Tanaka from M. Cyze of the law firm of Gardner, Carton & Douglas).

If you should have any questions regarding this response, please contact me.

Very truly yours,

*Harold G. Baker, Jr.*

Harold G. Baker, Jr.  
VILLAGE ATTORNEY  
7012 West Main Street  
Belleville, Illinois 62223

MBC

## **INFORMATION REQUESTS (to Village of Sauget)**

**1. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.**

**ANSWER NO. 1:** In answering these information requests, the Village obtained information from Mayor Paul Sauget, Village Clerk Betty Wilson, and Village Attorney Harold G. Baker, Jr. Relevant records of the Village were also reviewed. Accordingly, we do not have reason to believe that other persons would be able to provide more detailed or complete responses or additional documents with respect to the information requested here of the Village.

**2. Did you ever use, purchase, store, treat, dispose, transport, or otherwise handle any hazardous substances or materials at or to the Site?**

**ANSWER NO. 2:** Based on our knowledge, information and belief, the Village did not use, purchase, store, treat, dispose, transport, or otherwise handle any hazardous substances or materials at or to the Site.

**3. Identify all persons, including yourself, who may have arranged for disposal or treatment or arrange for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. In addition, identify the following:**

- (a) The persons with whom you or such other persons made such arrangements;**
- (b) Every date on which such arrangements took place;**
- (c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;**
- (d) The owner of the waste materials or hazardous substances so accepted or transported;**
- (e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;**
- (f) All tests, analyses, and analytical results concerning the waste materials;**

- (g) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;
- (h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- (i) Where the person identified in g., above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;
- (j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- (k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;
- (l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;
- (m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;
- (n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- (o) The price paid for (i) transport or (ii) disposal or (iii) both, of each waste material and hazardous substance;
- (p) All documents containing information responsive to (a)-(o) above, or in lieu of identification of all relevant documents, provide copies of all such documents; and
- (q) All persons with knowledge, information, or documents responsive to (a)-(o) above.

**ANSWER NO. 3:** Based on our knowledge, information and belief, the Village did not arrange for disposal or treatment or arrange for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. The Village does not have any knowledge or information showing what persons, other than the Village, may have done so. While the Village was generally aware that the Site was being used as a landfill during the late 1960's and early 1970's time period, the Village did not license, regulate or otherwise participate in the operations of the Site.

**4. Have you or any other person working with you or on your behalf ever accepted waste materials for transportation to the Site from any person? If the answer to this question is anything but an unequivocal no, identify:**

- (a) The persons from whom you or such other persons accepted waste materials for transport to the Site;**
- (b) Every date on which waste materials were so accepted or transported;**
- (c) For each transaction, the nature of the waste materials accepted or transported, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the material was used or the process which generated the material;**
- (d) For each material, describe any warning given to you with respect to its handling;**
- (e) The owner of the materials so accepted or transported;**
- (f) The quantity of the material involved (weight or volume) in each transaction and the total quantity for all transactions;**
- (g) All tests and analyses and analytical results concerning each material; and**
- (h) The price charged for transport and/or disposal per drum, barrel, container, or load (or whatever unit used) of waste materials brought to the Site.**

**ANSWER NO. 4:** Based on our knowledge, information and belief, neither the Village nor any other person working with the Village or on its behalf, ever accepted waste materials for transportation to the Site from any person.

**5. Identify all liability insurance policies held by Respondent from 1955 to the present which relate to the Site. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration date for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, non-sudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.**

**ANSWER NO. 5:** For those policies we have been able to locate, we have enclosed copies of comprehensive general liability policies issued to the Village during the relevant time period. However, based upon our belief that the Village did not arrange for disposal or treatment of waste materials to the Site, we do not believe that these policies are relevant. The policies are

identified as Bates No. SQ000110 to SQ000343 and Bates No. SQ002317 to SQ002547. In addition, the Village's insurance brokers have been contacted in attempt to locate any other policies which are not now in the Village's possession. Any additional policies located will be produced as they become available..

**6. Provide copies of all income tax returns sent to the Federal Internal Revenue Service in the last three years.**

**ANSWER NO. 6:** Not applicable. Respondent is a municipality. Respondent is not required to and does not file Federal Income Tax Returns.

**7. If Respondent is a Corporation, respond to the following requests:**

- (a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.**
- (b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service.**
- (c) Identify all Respondent's current assets and liabilities and the persons who currently own or are responsible for such assets and liabilities.**

**ANSWER NO. 7:** We understand this request to relate to a private corporation. As such, it is not applicable to the Village, which is a municipal corporation created under the Illinois Municipal Code of 1961, as amended.

**8. If Respondent is a Partnership, provide copies of the Partnership Agreement.**

**ANSWER NO. 8:** Not applicable. Respondent is a municipality and is not a partnership.

**9. If Respondent is a Trust, provide all relevant agreements and documents to support this claim and:**

- (a) The names and addresses of all current trustees;**
- (b) The names and addresses of all current beneficiaries.**

**ANSWER NO. 9:** Not applicable. Respondent is a municipality and is not a trust.

**10. Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.**

**ANSWER NO. 10:** The Village does not have knowledge of any such acts or omissions.

**11. If Respondent ever has conducted business under any other name:**

- (a) List each such name; and**
- (b) Provide the date during which Respondent used such name.**
- (c) If Respondent is a corporation, provide:**
- (d) The date of incorporation; and**
- (e) The state of incorporation.**

**ANSWER NO. 11:** Assuming for purposes of this response that the Village's municipal government activities would be construed by the U.S. EPA to constitute "conducting business" within the intended meaning of this request, the Village responds that on August 14, 1926, the Village was originally incorporated as and in the name of the "Village of Monsanto". On January 16, 1967, that name was changed to the "Village of Sauget". At all times during its existence since August 14, 1926, the Village was an Illinois municipality.

**12. If Respondent is, or was at any time during the period being investigated, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the nature of each corporate relationship, including but not limited to:**

- (a) A general statement of the nature of the relationship;**
- (b) The date such relationship existed;**
- (c) The percentage of ownership of Respondent that is held by such other entity; and**
- (d) For each such affiliated entity provide the names and complete addresses of its parent, subsidiary and otherwise affiliated entities.**

**ANSWER NO. 12:** Not applicable.

**13. Identify all of Respondent's predecessors-in-interest and provide a description of the relationship between Respondent and each of those predecessors-in-interest.**

**ANSWER NO. 13:** Not applicable.

**14. If Respondent no longer exists as a legal entity because of dissolution provide:**

- (a) A brief description of the nature and reason for dissolution;**
- (b) The date of dissolution;**
- (c) Documents memorializing or indicating the dissolution of the entity;**
- (d) A statement of how and to whom the entity's assets were distributed.**

**ANSWER NO. 14:** Not applicable.

**15. If Respondent no longer exists as the same legal entity it was during the period being investigated because of transactions involving asset purchases or mergers, provide:**

- (a) The titles and dates of the documents that embody the terms of such transaction (i.e., purchase agreements, merger and dissolution agreements, etc.);**
- (b) The identities of the seller, buyer and any other parties to such transaction; and**
- (c) A brief statement describing the nature of the asset purchases or mergers.**

**ANSWER NO. 15:** Not applicable.

**16. If Respondent has filed for bankruptcy, provide:**

- (a) The U.S. Bankruptcy Court in which the petition was filed;**
- (b) The docket number of such petition;**
- (c) The date the bankruptcy petition was filed;**

- (d) Whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or another provision; and
- (e) A brief description of the current status of the petition.

ANSWER NO. 16: Not applicable.

17. Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.

ANSWER NO. 17: See Answer to Request No. 10. This request appears to be identical to Request No. 10.

18. Has the Respondent submitted information to other federal, state or local regulatory agencies, including but not limited to the Illinois Pollution Control Agency, Illinois Environmental Protection Agency, U.S. Department of Labor, or U.S. Department of Transportation, either verbally or in writing, concerning its disposal or treatment or arrangement for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. If yes, describe what was requested, what was provided, when information was given, and to whom it was given. If written documentation was given please provide a copy of that information in your response to this request.

ANSWER NO. 18: Enclosed is correspondence with the Illinois Environmental Protection Agency, documents Bate No. SQ002548 to SQ002561, which generally relate to Area II, but not necessarily specific applicability to Site Q. The Village does not believe it has any further information responsive to this Request, except that it does have a copy of a report prepared for the Illinois Environmental Protection Agency, dated May 1988, by Ecology and Environment, Inc. This report is voluminous and we believe that U.S.EPA already has a copy of it. However, if you do not, we can produce it upon request.

Respectfully submitted,

*Harold G. Baker, Jr.*  
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MBC

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